

**From:** Les Vogel  
**To:** Microsoft ATR,microsoftcomments@doj.ca.gov@inetgw,...  
**Date:** 11/27/01 2:15pm  
**Subject:** Microsoft anti-trust settlement

Microsoft is a monopoly.

The question is, under what rules should Microsoft be allowed to continue operations, and what is a just punishment for past abuses.

1. The various proposals that I've seen do not address one of the techniques that Microsoft has used to gain dominance in the marketplace. Often when a company that Microsoft views as a threat announces a product or technology, Microsoft will within a week announce a competing technology or product. Unfortunately, many of those "announcements" are just the start of Microsoft's development, and consumers will not see anything for years if at all. This has the effect of drying up both sales and capital for the competing company.

Microsoft needs to be prevented from pre-announcing any technology, product, or service more than 90 days before it's actual availability to consumers.

2. Microsoft's offer to provide schools with equipment and software will just help Microsoft gain control of one of the few markets where it doesn't dominate. There are two basic problems with Microsoft's providing software. 1. It improves adds to Microsoft's monopoly. 2. Microsoft's incremental cost of goods for software is under \$1. (The cost of reproducing a CD). A much better settlement would be for Microsoft to provide the schools with cash, and allow the schools to spend it where they see fit. This would actually affect the their bottom line.

These modest proposals will not go far enough to punish Microsoft for it's abuses. The only real solution is to break Microsoft up into many parts: 1. The Windows OS Company, 2. Media Company (MSNBC/MSN), 3. The Office Company (Desktop Applications), 4. The Back-Office Company (Back-Office/SQL Server), 5. The PDA Company, 6. The Game Company (x-box/Flight Simulator, et. al.). There should be NO cross ownership or licensing for at least 7 years.

Thank you,

Les Vogel  
lesv@angeltech.com

300 Beale St. #605  
San Francisco, CA 94105

415-543-1011